

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVANTS - Municipal Administration & Urban Development Department- Acquisition of disproportionate of assets to the known source of legal income - Case in CC.No.10/2006, registered by the Anti Corruption Bureau, against Sri.S.Subrahmanyeswara Rao, Bill Collector(Retired), O/o Vijayawada Municipal Corporation, Vijayawada - Convicted by the Trial Court - Imposing a punishment of 'Withholding entire pension' permanently, along with gratuity of the individual- Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.IV.2) DEPARTMENT

G.O.Rt.No. 1432

Dated:09-11-2011

Read the following:

1. From the Director-General, Anti Corruption Bureau, Hyderabad. Letter.No.228/RCA-VKI/99,Dt:11.12.2002.
2. From the Director-General, Anti Corruption Bureau, Hyderabad. Letter No.228/RCA-VKI/98,Dt:31.01.2003.
- 3.Govt. Memo No.2287/V1/2001-3, MA&UD (Vig.IV) Department, dated:7.5.2003.
4. Proc.No.Rc.C7-1567/2000, Dt:15.12.2004 of the Commissioner Vijayawada Municipal Corporation, Vijayawada.
5. From the Director-General, Anti Corruption Bureau, Hyderabad. Lr.No.228/RCA-VKI/8-S.9,Dt: .7.2010 & .8.2010.
6. Judgment dated 29.6.2010 of the Spl. Judge for SPE & ACB Cases, Vijayawada, in CC No.10/2006.
7. Show-Cause Notice issued vide Govt. Memo No.2282/ Vig.IV.2/ 01-3 Dt:03.01.2011.
8. Explanation to the Show-Cause Notice dated 27.2.2011, by Sri.S.Subrahmanyeswara Rao, Bill Collector (Retd.).
9. From the Director-General, Anti Corruption Bureau, Hyd.Lr.No. 228/RCA-VKI/8-S.9,Dt:2.9.2011.

ORDER:-

Whereas, in reference 1<sup>st</sup> read above, it is reported that a case in Cr.No.4/ACB-VJA/99 was registered against Sri.S.Subrahmanyeswara Rao, Bill Collector, Vijayawada Municipal Corporation, for possessing assets disproportionate to the known source of his legal income.

2. Whereas, the Director-General, Anti Corruption Bureau, A.P., Hyderabad, in his final report in the reference 2<sup>nd</sup> read above, has recommended for prosecution of the Accused Officer Sri.S.Subrahmanyeswara Rao, Bill Collector, Vijayawada Municipal Corporation, in the Court of Law, as the Accused Officer, while functioning as Bill Collector, actuated with corrupt motive, acquired assets to the tune of Rs.16,38,553=50, disproportionate to the known sources of his legal income, during his service and also recommended for initiation of departmental action, against the Accused Officer for violating Conduct Rules.

3. Whereas, Government, in the reference 3<sup>rd</sup> read above, have requested the Commissioner, Vijayawada Municipal Corporation to accord sanction for prosecution of the Accused Officer Sri.S.Subrahmanyeswara Rao, Bill Collector, Vijayawada Municipal Corporation, for the above said allegation. Accordingly, in the reference 4<sup>th</sup> read above, the Commissioner, Vijayawada Municipal Corporation, Vijayawada has accorded sanction for prosecution of the Accused Officer in the Court of Law. Charge-Sheet was filed against the Accused Officer, in CC No.10/2006, in the Court of Special Judge for SPE & ACB Cases, Vijayawada, on the allegation of possession of disproportionate assets case.

(P.T.O.)

4. Whereas, in disproportionate of assets case in CC No. 10/2006, the Hon'ble Court of Special Judge for SPE& ACB Cases, Vijayawada , in its orders in the reference 6<sup>th</sup> read above, found the Accused Officer Sri.S.Subrahmanyeswara Rao, Bill Collector, Vijayawada Municipal Corporation guilty, and convicted the Accused Officer under Section 248(2) of Cr.P.C. for the offence punishable under Section 13(1)(e) r/w 13(2) of Prevention of Corruption Act 1988 and sentenced him to rigorous imprisonment for a period of two years and to pay fine of Rs.15,000/- (Rupees fifteen thousand only) in default simple imprisonment for three months.

5. Whereas, Government, after careful examination of the matter and in consultation with the appropriate authority, have proposed to withhold the entire pension of Sri.S.Subrahmanyeswara Rao, Bill Collector (since retired on 31.1.2005), Vijayawada Municipal Corporation, Vijayawada, permanently, in terms of Rule 9 of A.P. Revised Pension Rules,1980. Accordingly, in the reference 7<sup>th</sup> read above, a Show-Cause Notice was issued to the A.O. Sri.S.Subrahmanyeswara Rao, Bill Collector (Retd.).

6. Whereas, in the reference 8<sup>th</sup> read above, Sri.S.Subrahmanyeswara Rao, Bill Collector (Retd.) has submitted his explanation to the Show-Cause Notice, requesting the Government to differ the proposed penalty, till his Criminal Appeal No.875/10, is disposed by the Hon'ble High Court and he may be paid pension, in the wake of the order dated 20.7.2010 in CrI.AMP.No.1345/10, in CrI. Appeal No.875/10 filed by him.

7. Government observed that in the orders dated 20.7.2010, the Hon'ble High Court of A.P., in CrI.A.M.P.No.1345/2010, in CrI.A.No.875/2010, filed by Sri.S.Subrahmanyeswara Rao, Bill Collector (Retired), has suspended the sentence alone imposed by the Trial Court on 29.6.2010, pending disposal of the Criminal Appeal by the Accused Officer. The Hon'ble High Court of A.P. has suspended the sentence of imprisonment only and conviction of the Accused Officer stands good, hence mere suspension of sentence of imprisonment is not a bar for imposition of penalty of dismissal.

8. The Government, after careful examination of the matter, have decided to impose the punishment mentioned in para-5 above, against Sri.S.Subrahmanyeswara Rao, Bill Collector (Retired). Accordingly Government hereby withhold the entire pension of Sri.S.Subrahmanyeswara Rao, Bill Collector (since retired on 31.1.2005), Vijayawada Municipal Corporation, Vijayawada, permanently, in terms of Rule 9 of A.P. Revised Pension Rules,1980., along with D.C.R. Gratuity, with immediate effect.

9. The Commissioner, Vijayawada Municipal Corporation, Vijayawada, shall take necessary action.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

B.SAM BOB

PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri.S.Subrahmanyeswara Rao, Bill Collector (Retired),Vijayawada Municipal Corporation, Vijayawada, through the Commissioner, Vijayawada Municipal Corporation, Vijayawada.

The Director, Municipal Administration, Hyderabad.

The Commissioner, Vijayawada Municipal Corporation, Vijayawada

Copy to:

Director-General, Anti Corruption Bureau, Hyderabad

The Accountant General (Pension),A.P., Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER